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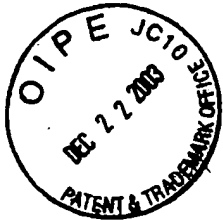
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2004 JAN -6 PM 2:25

US PATENT & TRADEMARK
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Express Mail No. DEV 313 842 609 US

Application of: Lehman et al.

Serial No.: 09/821,139

Filed: March 29, 2001

For: NASAL ADMINISTRATION OF
AGENTS FOR THE TREATMENT OF
GASTROPARESIS

Confirmation No.: 5628

Art Unit: 1616

Examiner: Haghighatian, M.

Attorney Docket No: 7960-131

REQUEST FOR REFUND PURSUANT TO 37 C.F.R. § 1.28(a)

Mail Stop 16
Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Fees in excess of the required fees were paid in connection with the above-identified patent application. In particular:

- (1) a filing fee of \$770.00 (for an RCE) on December 5, 2003; and
- (2) a \$1,600.00 fee for extension of time (3 months) on December 5, 2003.

The Assignee, Questcor Pharmaceuticals, Inc., qualifies as a small entity under 37 C.F.R. § 1.27(c) by virtue of an Assertion of Small Entity Under 37 C.F.R. § 1.27(c) filed with the Patent and Trademark Office on December 22, 2003 (a copy of which is attached hereto).

Accordingly, please refund 50% of the fees by crediting Deposit Account No. 16-1150 as follows:

- (1) \$385.00 for an RCE filing fee from December 5, 2003; and
- (2) \$800.00 for extension of time fee from December 5, 2003.

1185.00

OFFICE OF FINANCE
REFUND BRANCH

PATENT MAINTENANCE
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A duplicate of this sheet is enclosed.

2004 JAN -6 PM 2: 26

Respectfully submitted,

US PATENT & TRADEMARK
OFFICE

Date: December 22, 2003

Richard G. A. Bone

Richard G. A. Bone
Limited Recognition Under 37 C.F.R. § 10.9(b)
(Copy of Certificate attached hereto)

for Brian M. Poissant (Reg. No. 28,462)
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